

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

Directions: Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

Appeal No. & Caption	PFLAG et al. v. Trump et al., No. 25-1279
Originating No. & Caption	PFLAG et al. v. Trump et al., 8:25-cv-00337-BAH
Originating Court/Agency	District Court for the District of Maryland

Jurisdiction (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. 1292(a)	
Time allowed for filing in Court of Appeals	60 days	
Date of entry of order or judgment appealed	3/4/2025	
Date notice of appeal or petition for review filed	3/21/2025	
If cross appeal, date first appeal filed		
Date of filing any post-judgment motion		
Date order entered disposing of any post-judgment motion		
Date of filing any motion to extend appeal period		
Time for filing appeal extended to		
Is appeal from final judgment or order?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If appeal is not from final judgment, why is order appealable? A preliminary injunction is appealable under 28 U.S.C. 1292(a).		

Settlement (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Transcript (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Case Handling Requirements (answer any that apply)		
Case number of any prior appeal in same case		
Case number of any pending appeal in same case		
Identification of any case pending in this Court or Supreme Court raising similar issue	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

Nature of Case (Nature of case and disposition below. Attach additional page if necessary.)
<p>Plaintiffs have challenged two Executive Orders. Executive Order 14,168 is entitled "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government." 90 Fed. Reg. 8615 (Jan. 20, 2025). Executive Order 14,187 is entitled "Protecting Children from Chemical and Surgical Mutilation." 90 Fed. Reg. 8771 (Jan. 20, 2025). Among other things, the Executive Orders direct federal agencies to pursue the stated policies by adopting, to the extent consistent with applicable law, certain funding restrictions. Plaintiffs allege, among other things, that the Executive Orders are ultra vires by violating federal statutes and that they violate the equal protection principles in the Fifth Amendment.</p> <p>The district court enjoined the federal defendants from "from conditioning, withholding, or terminating federal funding under Section 3(g) of Executive Order 14,168 and Section 4 of Executive Order 14,187, based on the fact that a healthcare entity or health professional provides gender-affirming medical care to a patient under the age of nineteen."</p>

Issues (Non-binding statement of issues on appeal. Attach additional page if necessary)

The issues on appeal include: (1) whether the case is ripe; (2) whether plaintiffs have a cause of action; (3) whether the district court erred in holding that the Executive Orders likely violate the separation of powers or federal statutes; (4) whether the the district court erred in holding that the Executive Orders likely violate equal protection principles; (5) whether the district court abused its discretion in evaluating the equities and balance of harms; and (6) whether the preliminary injunction's scope of relief extending beyond the plaintiffs violates Article III and equitable principles.

Adverse Parties (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: See Attached List

Attorney:
Address:

E-mail:

Phone:

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Adverse Parties (continued)

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Appellant (Attach additional page if necessary.)	
Name: See attached list Attorney: Address: E-mail: Phone:	Name: Attorney: Address: E-mail: Phone:
Appellant (continued)	
Name: Attorney: Address: E-mail: Phone:	Name: Attorney: Address: E-mail: Phone:
Signature: <u>s/ Joshua Dos Santos</u> Date: <u>4/7/2025</u>	
Counsel for: <u>Appellants</u>	
Certificate of Service (required for parties served outside CM/ECF): I certify that this document was served on _____ by <input type="checkbox"/> personal delivery; <input type="checkbox"/> mail; <input type="checkbox"/> third-party commercial carrier; or <input type="checkbox"/> email (with written consent) on the following persons at the addresses or email addresses shown:	
Signature:	Date:

Adverse Parties

PFLAG, Inc.;

American Association of Physicians for Human Rights, Inc. doing business as GLMA:
Health Professionals Advancing LGBTQ Equality;

Unnamed individual plaintiffs: Gabe Goe, George Goe, Bella Boe, Bruce Boe, Cameron
Coe, Claire Coe, Robert Roe, Rachel Roe, Lawrence Loe, Dylan Doe

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List of Appellants

DONALD J. TRUMP, in his official capacity as President of the United States

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Robert F. Kennedy Jr., in his official capacity as Secretary of the U.S. Department of Health and Human Services¹

HEALTH RESOURCES AND SERVICES ADMINISTRATION

DIANA ESPINOSA, in her official capacity as Principal Deputy Administrator of the Health Resources and Services Administration

NATIONAL INSTITUTES OF HEALTH

MATTHEW J. MEMOLI, in his official capacity as Acting NIH Director

NATIONAL SCIENCE FOUNDATION

SETHURAMAN PANCHANATHAN, in his official capacity as Director of the National Science Foundation

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¹ The current Secretary of Health and Human Services has been automatically substituted under Fed. R. App. P. 43(c)(2).